

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
DB000670-001

In Re Application Of: **Brima, et al.**

Serial No.
10/044,360

Filing Date
1/11/02

Examiner
N/A

Group Art Unit
1754

Invention:

NOVEL HYDROTALCITES, SYNTHESSES AND USES

TO THE COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


Signature

Dated: **July 17, 2003**

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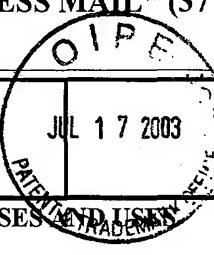
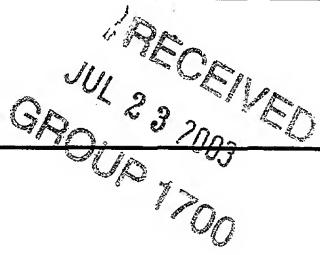
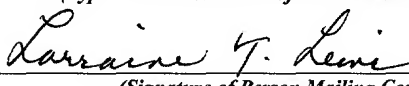
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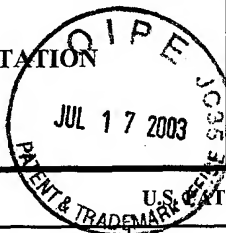
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1754

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. DB000670-001	
Applicant(s): Brima, et al.				
Serial No. 10/044,360	Filing Date 1/11/02	 JUL 17 2003 Examiner N/A		Group Art Unit 1754
Invention: NOVEL HYDROTALCITES, SYNTHESIS				
<div style="text-align: right;">  </div>				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Statement Under 37 CFR 1.97(e) Accompanying Information Disclosure Statement (1 pg); Form PTO-1449 (1 pg); International Search Report; Copies of Citations.</p> </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: center;"> <u>July 17, 2003</u> <i>(Date)</i> </p> <p style="text-align: center;"> <u>Lorraine T. Lewis</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i>  <i>(Signature of Person Mailing Correspondence)</i> </p> <p style="text-align: center;"> <u>EV325380183US</u> <i>("Express Mail" Mailing Label Number)</i> </p>				
<p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p> <p>Matthew P. McWilliams, Reg. 46,922 Buchanan Ingersoll, P.C. Eleven Penn Center, 14th Floor 1835 Market Street Philadelphia, PA 19103-2985</p>				

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional)

DB000670-001

Application Number

10/044,360

Applicant(s)

Brima, et al

Filing Date

1/11/02

Group Art Unit

1754

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

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JUL 23 2003
GROUP 1700

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	AJ	57 200433 A	12/8/82	JP		Abstract	✓	
	AK	58 013643 A	1/26/83	JP		Abstract	✓	
	AL	59 011308 A	1/20/84	JP		Abstract	✓	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference DB000670-003	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 03/ 00478	International filing date (day/month/year) 08/01/2003	(Earliest) Priority Date (day/month/year) 11/01/2002
Applicant SUNOCO, INC. (R&M)		

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GROUP 1700

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the title,

the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

SYNTHETIC HYDROTALCITES, SYNTHESSES AND USES

5. With regard to the abstract,

the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.



None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 03/00478

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07F5/06 C01F7/00 C08K5/17

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07F C01F C08K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

CHEM ABS Data, EPO-Internal, PAJ, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 728 366 A (E.S. MARTIN ET AL) 17 March 1998 (1998-03-17) the whole document, in particular, column 3, line 64 - column 4, line 15; columns 6-7, paragraphs i-j	1-4
Y	the whole document, in particular, column 7, lines 55-61	33-38, 48,49, 65,70
Y	DATABASE CAPLUS 'Online! CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; retrieved from STN Database accession no. 1983:454549 XP002245062 abstract & JP 58 013643 A (SHOWA DENKO KK) 26 January 1983 (1983-01-26)	33-38, 48,49, 65,70



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

23 June 2003

Date of mailing of the international search report

02/07/2003

Name and mailing address of the ISA

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Authorized officer

Van Amsterdam, L

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 03/00478

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>✓ US 5 399 329 A (A.A. SCHUTZ ET AL) 21 March 1995 (1995-03-21) cited in the application <i>original</i> the whole document</p>	<p>1-3, 10-13, 15, 18-21, 25</p>
A	<p>✓ US 3 539 306 A (T. KUMURA ET AL) <i>original</i> 10 November 1970 (1970-11-10) example 7</p>	<p>1-4</p>
A	<p>DATABASE CAPLUS 'Online! CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; retrieved from STN Database accession no. 1983:199240 XP002245063 abstract & JP 57 200433 A (MITSUI PETROCHEMICAL INDUSTRIES LTD) <i>original</i> 8 December 1982 (1982-12-08)</p>	<p>33-36</p>
A	<p>DATABASE CAPLUS 'Online! CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; retrieved from STN Database accession no. 1984:175546 <i>original</i> XP002245064 abstract & JP 59 011308 A (MITSUI TOATSU CHEMICALS INC) 20 January 1984 (1984-01-20)</p>	<p>33-36</p>
E	<p>WO 03 018478 A (SUNOCO INC R&M) <i>original</i> 6 March 2003 (2003-03-06) table II, example 13; claims 1-3, 9, 22-33, 35-38, 44-51</p>	<p>1-3, 10-21, 25, 26, 33-36, 50, 51, 54, 55</p>

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 03/00478

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5728366	A	17-03-1998	US 5514361 A	07-05-1996
<i>Handwritten:</i> US 5728366-0001 and JP			AT 186281 T	15-11-1999
			AU 704214 B2	15-04-1999
			AU 1559395 A	07-03-1996
			BR 9508872 A	06-01-1998
			CA 2197664 A1	22-02-1996
			DE 69513182 D1	09-12-1999
			DE 69513182 T2	25-05-2000
			EP 0776317 A1	04-06-1997
			ES 2140657 T3	01-03-2000
			HU 77873 A2	28-09-1998
			IL 114953 A	01-06-2000
			JP 10503465 T	31-03-1998
			JP 3112684 B2	27-11-2000
			SK 21197 A3	10-12-1997
			WO 9605140 A1	22-02-1996
			US 5578286 A	26-11-1996
			US 5728363 A	17-03-1998
			US 5776424 A	07-07-1998
			US 5728364 A	17-03-1998
			US 5728365 A	17-03-1998
			US 5730951 A	24-03-1998
			AT 190589 T	15-04-2000
			AU 708168 B2	29-07-1999
			AU 1559495 A	29-11-1995
			BR 9507557 A	05-08-1997
			CA 2189020 A1	09-11-1995
			CZ 9603162 A3	16-04-1997
			DE 69515658 D1	20-04-2000
			DE 69515658 T2	31-08-2000
			EP 0759888 A1	05-03-1997
			ES 2143615 T3	16-05-2000
			HU 75979 A2	28-05-1997
			JP 9512519 T	16-12-1997
			RU 2155710 C2	10-09-2000
			SK 139596 A3	06-08-1997
			WO 9529874 A1	09-11-1995
JP 58013643	A	26-01-1983	JP 1775026 C	28-07-1993
			JP 63067497 B	26-12-1988
US 5399329	A	21-03-1995	US 5507980 A	16-04-1996
<i>Handwritten:</i> US 5399329-0001 and JP			US 5518704 A	21-05-1996
US 3539306	A	10-11-1970	JP 50030039 B	27-09-1975
			CH 490089 A	15-05-1970
			DE 1592126 A1	29-10-1970
			ES 343381 A1	01-12-1968
			FR 7588 M	12-01-1970
			FR 1532167 A	05-07-1968
			GB 1185920 A	25-03-1970
			US 3650704 A	21-03-1972
JP 57200433	A	08-12-1982	JP 3002900 B	17-01-1991
JP 59011308	A	20-01-1984	JP 1395021 C	11-08-1987
			JP 62000165 B	06-01-1987

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 03/00478

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO-03018478 A	06-03-2003	US 2003078445 A1 WO 03018478 A2	24-04-2003 06-03-2003